

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

Senate Bill 633

BY SENATORS CARMICHAEL (MR. PRESIDENT) AND

PREZIOSO

(BY REQUEST OF THE EXECUTIVE)

[Introduced January 28, 2020; referred
to the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §9-5-28, relating generally to creating in the State Treasury a special account
3 known as Medicaid Families First Reserve Fund; specifying moneys that may be
4 deposited in fund; providing for expenditures from fund; and authorizing investments.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. MISCELLANEOUS PROVISIONS.

§9-5-28. Medicaid Families First Reserve Fund.

1 (a) There is hereby created in the State Treasury a special account, designated the
2 Medicaid Families First Reserve Fund, which is an interest and earnings-accumulating account
3 administered by the Secretary of the Department of Health and Human Resources in accordance
4 with the provisions of this section.

5 (b) The Medicaid Families First Reserve Fund shall initially consist of \$150 million
6 transferred from excess state funds accumulated in the Medical Services Fund established in §9-
7 4-2 of this code, the Medical Services Trust Fund established in §9-4A-2a, and the Medicaid State
8 Share Fund established in §11-27-32 of this code, or a combination thereof, as of June 30, 2020.
9 The Medicaid Families First Reserve Fund may also consist of moneys appropriated by the
10 Legislature, income from investment of moneys held in the fund, and all other sums available for
11 deposit to the account, public or private. Any balance remaining in the Medicaid Families First
12 Reserve Fund at the end of the fiscal year does not revert to the General Revenue Fund but
13 remains in the fund and may be used in a manner consistent with this section. In no event may
14 any federal Medicaid reimbursement dollars be deposited in the Medicaid Families First Reserve
15 Fund.

16 (c) For fiscal years beginning on or after July 1, 2020, additional moneys may, with the
17 written approval of the Governor, be transferred to the Medicaid Families First Reserve Fund from
18 the balances in the Medical Services Fund, Medical Services Trust Fund, and Medicaid State
19 Share Fund.

20 (d) Upon written request of the Governor, the Legislature may authorize transfers of
21 moneys from the Medicaid Families First Reserve Fund to stabilize the State's Medicaid Program.

22 (e) The Medicaid Families First Reserve Fund may be invested in the manner permitted
23 by §12-6-8 of this code, and the Secretary of the Department of Health and Human Resources
24 may contract with the West Virginia Investment Management Board, or the West Virginia Board
25 of Treasury Investments, for any services with respect to fund investments that the secretary
26 considers necessary.

NOTE: The purpose of this bill is to create the Medicaid Families First Reserve Fund as a special revenue account in the State Treasury. The bill provides for funding of the Fund and for expenditures of moneys in the fund to stabilize the State's Medicaid program.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.